

end of the year and we act as though there is some magic budgetary goblin running around eating up money and we invent these tricks to try to figure out how to break the budget, while we still tell constituents we balance it. It is pretty outrageous. We use every budgetary gimmick we can find: forward funding, emergency designation, baseline budgeting. You name it, you have heard it. Now we have "13th month."

For those of you who may be listening or watching right now, when you hear those terms, my advice would be to hang on tightly to your wallet because the story is, if a Democrat has a vision, it is probably focused right on your wallet, and that is what is happening now. They are having fun with this 13th month, but they have that luxury because they are in the minority. I suppose you can say, technically, so am I, but on this point I am siding with the Republicans. They didn't invent budgetary gimmickry.

Insofar as this Congress intends to use smoke and mirrors to secretly fund more rather than less unconstitutional programs, I don't intend to be a part of it. Our Founding Fathers would be ashamed of this whole debate for several reasons:

No. 1, they didn't intend for us to balance our budget using accounting tricks and elongated fiscal years.

No. 2, they didn't intend for us to burden our children with trillions of dollars in debt—trillions.

No. 3, they didn't intend for us to spend billions of dollars on education programs that should be handled at the State and local level.

My colleague, Senator GORTON, has been very instrumental on initiatives to try to bring that spending back to the State and local level where it belongs. So as perhaps the only non-partisan person in the Senate right now, let me offer a solution. It is pretty simple. I have a way that we can support the Constitution, balance the budget, and not use any budgetary tricks at all. It is very simple: Don't spend the money.

The Department of Education is billions of dollars worth of unconstitutional infringements on State and local authority. Don't spend the money, if the Democrats don't want the Republicans using budgetary tricks, the Republicans don't want to break the budget caps, and the founders don't want us funding unconstitutional programs. So let's abolish the Department of Education. Then we can go back home to our school districts and say: You now have the constitutional authority you had in the first place to educate your children the way you choose—home school, private school, public school, whatever. By the way, you have more money to spend and the budget is balanced.

Very simple. Nothing complicated. So let me say the best way to end all the budgetary gimmickry is don't spend the money.

Mr. President, I yield the remainder of my time.

I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that Denise Matthews, a fellow on the staff of the Appropriations Committee, be granted the privilege of the floor during the debate on H.R. 2084 and the conference report thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Thank you, Mr. President, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Continued

Mr. GORTON. Mr. President, I have now cleared the following request.

I ask unanimous consent that no further amendments be in order to the pending Interior bill other than the managers' amendment or amendments on motions relative to the Hutchison royalties amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GORTON. Mr. President, I should like to make the following announcement. We will have that managers' amendment—I think there is only one that is possible; it may be in two sections—ready within the next half hour or so to present. It does represent an accommodation of the requests of many Members, with the understanding of all Members.

I think it will take only a very few minutes to present and to have it accepted. At that point, we will have only the Hutchison amendment outstanding. The majority leader has reserved the right to ask for reconsideration of the cloture motion that was defeated yesterday. I suspect when he chooses to do that, we will in a relatively short period of time finish debate and dispose of the Hutchison amendment one way or another and then go to final passage of the Interior appropriations bill.

That means, as far as I am concerned, I am going to vacate the floor

at this point. Whenever the chairman of the Subcommittee on Transportation wants to start his bill, he can do so. I will ask him for the right to interrupt at some point when I am ready with the managers' amendment and present it then. I see no reason to keep the Senate from moving forward now.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 2084

Mr. SHELBY. Mr. President, I ask unanimous consent that the Chair lay before the Senate H.R. 2084, the House-passed fiscal year 2000 Transportation appropriations bill, that all after the enacting clause be stricken, and the text of S. 1143, as modified by striking sections 321 and 339, be inserted in lieu thereof, that the amendment be considered as original text for the purpose of further amendment, and that points of order against any provision added thereby be preserved.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I object temporarily. I believe strongly that this legislation impinges in the area of jurisdiction of the Environment and Public Works Committee, and we will be discussing that further on. I do thank Senator SHELBY for the time he has given us in connection with this overlapping jurisdiction—I should not even say overlapping jurisdiction—we think is impinging upon the areas that belong within the jurisdiction of the Environment and Public Works Committee.

However, despite the fact that we have had numerous meetings—our staffs with his staff, myself to some extent with Senator SHELBY—we have not been able to resolve these issues. I believe the unanimous consent request that the Senator has just propounded will solve the problem as far as moving into the major difficulty in jurisdiction I will outline later.

I know the ranking member of the Environment and Public Works Committee is here, and he also has some difficulties with the jurisdiction that has been assumed by the Transportation Appropriations Subcommittee.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, reserving the right to object, and I will not, I appreciate the indulgence of the Chair and my colleagues for a very brief statement.

Those of us who were here and those of us who were not here but certainly